

Notice of Allowability

Application No.

10/623,926

Examiner

Jalatee Worjloh

Applicant(s)

BOLLE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 05/16/2006.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.



DETAILED ACTION

1. Claims 1-18 are allowed.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is US Patent No. 6310966 to Dulude et al.

Dulude et al. disclose a transmitting section receiving a current set of physical characteristics of the user, generating a first hash value signal from the transaction first data and the transaction biometric data, generating a second hash value form the transaction biometric data and the first data, comparing the first hash value to the second hash value using. Dulude et al. do not expressly disclose determining, in response to a transaction, whether the distorted biometric matches with one or more stored distorted biometrics, the determining act being undertaken without knowing the undistorted biometric so that the distorted biometric represents a user without revealing the digital representation of the one or more undistorted biometrics as recited in independent claim 1, storing a plurality of records in one or more database, each record having one or more distorted biometrics and a user identifier, receiving one or more requests from a requester, the one or more requests containing one or more target distorted biometrics associated with a target identifier and comparing in a processor the one or more requests with one or more of the records as recited in independent claim 9; verifying the identity of the user by comparing in a processor the received user identifier with a stored user identifier and comparing the received distorted biometric with a stored distorted biometric associated with the store user identifier as recited in independent claim 15; sending a user identifier and an associated digital representation of a user biometric to a remote computer that distorts the digital representation of

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the user biometric to a distorted biometric using one or more transformations, at least one of the transformations comprising one or more non-invertible functions and determining in a processor that the user identifier is associated with the distorted biometric and sending an acknowledgement to the financial company as recited in independent claim 17; providing a tester with a comparison distorted biometric but not providing the tester with the undistorted biometric and instructing the tester to compare the comparison distorted biometric with the distorted biometric to determine whether to authorize a transaction defined by the transaction request as recited in independent claim 18.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent No. 6202151 to Musgrave et al. discloses a system and method for authenticating electronic transactions using biometric certificates. In Musgrave et al. biometric certificates are generated from physical characteristics of a current user and appended to the transaction; the user is authenticated by comparing the received biometric with a pre-stored biometric.
- WO 98/41947 to Pare et al. discloses a user biometric database which contains or stores the biometric samples of all users registered with the identification computer system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue


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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is (571) 272-6714. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300 for Regular/After Final Actions and 571-273-6714 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jalatee Worjloh
Patent Examiner
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July 17, 2006